

June 25, 2015

The Honorable Mitch McConnell  
Majority Leader  
United States Senate

The Honorable Chuck Grassley  
Chairman, Judiciary Committee  
United States Senate

The Honorable Harry Reid  
Minority Leader  
United States Senate

The Honorable Patrick Leahy  
Ranking Member, Judiciary Committee  
United States Senate

Dear Senate Leaders,

The undersigned trade associations and organizations, representing leaders in the U.S. economy, write to urge your support for the bipartisan Judicial Redress Act of 2015, S. 1600, introduced on June 17, 2015 by Senators Hatch and Murphy. The Senate bill is a companion to a House bill (H.R. 1428) introduced by Representatives Sensenbrenner and Conyers in April.

The last two years have seen a significant erosion of global public trust in both the U.S. government and the U.S. technology sector. As a result, U.S. companies across all sectors are suffering negative commercial consequences abroad, including loss of contracts, and face further burdens due to proposals to limit international data flows and impose onerous localization requirements on digital products and services.

To help restore the public trust necessary for the continued success of U.S. industry, the Judicial Redress Act will extend certain rights to the citizens of our designated allies, particularly European Union Member States. Citizens of these major U.S. allies will be able to avail themselves of the core benefits that Americans enjoy under the U.S. Privacy Act with regard to information shared with the United States for law enforcement purposes, in particular the ability to ensure that the information is accurate and seek judicial recourse when it is not. U.S. citizens already enjoy this right in most EU Member States. This will help foster a robust relationship between the U.S. and the EU and rebuild trust in U.S.-EU data flows. Transnational data flows serve as a key component of the digital trade that increasingly drives U.S. economic growth.

The Judicial Redress Act has the support of the Obama Administration, Department of Justice, and federal law enforcement agencies. It will serve as a clear signal to our European allies that they can feel comfortable sharing critical law enforcement information across the Atlantic. In particular, the bill is key to finalizing long-standing EU-U.S. negotiations on an improved framework for data transfers pertaining to law enforcement and counter-terrorism purposes (the “umbrella” agreement). It will also go a long way towards ensuring a continuation of the large economic benefits tied to transatlantic data transfers.

The extension of rights provided for in the Judicial Redress Act is necessary to help restore public trust in both the U.S. government and the U.S. technology sector.

We urge the Senate to act in a bipartisan fashion and swiftly pass the Judicial Redress Act of 2015.

Sincerely,

Application Developers Alliance  
BSA | The Software Alliance  
Cisco Systems  
CompTIA  
Computer & Communications Industry Association  
Consumer Electronics Association  
Foursquare  
Google  
Information Technology Industry Council  
Internet Association  
Intuit  
Microsoft  
Software & Information Industry Association  
Symantec  
Trans-Atlantic Business Council  
U.S. Chamber of Commerce  
Yahoo